

SUBJECT: PROTECTION AND CONTROL OF SAFEGUARDS AND SECURITY INTERESTS

1. PURPOSE. To establish:

- a. Policy, responsibilities, and authorities for the protection and control of safeguards and security interests (e.g., special nuclear material, vital equipment, classified matter, property, facilities, and unclassified irradiated reactor fuel in transit).
- b. DOE M 5632.1C-1, MANUAL FOR PROTECTION AND CONTROL OF SAFEGUARDS AND SECURITY INTERESTS, which provides supplementary requirements for the protection and control of safeguards and security interests.

2. CANCELLATIONS.

- a. DOE 5632.1B, PROTECTION PROGRAM OPERATIONS, of 9-8-92.
- b. DOE 5632.2A, PHYSICAL PROTECTION OF SPECIAL NUCLEAR MATERIAL AND VITAL EQUIPMENT, of 2-9-88.
- c. DOE 5632.5, PHYSICAL PROTECTION OF CLASSIFIED MATTER, of 2-3-88.
- d. DOE 5632.6, PHYSICAL PROTECTION OF DOE PROPERTY AND UNCLASSIFIED FACILITIES, of 2-9-88.
- e. DOE 5632.9A, ISSUANCE AND CONTROL OF SECURITY BADGES, CREDENTIALS, AND SHIELDS, of 9-23-92.
- f. DOE 5632.11, PHYSICAL PROTECTION OF UNCLASSIFIED IRRADIATED REACTOR FUEL IN TRANSIT, of 9-15-92.
- g. DOE 5635.1A, CONTROL OF CLASSIFIED DOCUMENTS AND INFORMATION, of 2-12-88.
- h. DOE 5635.2B, PROTECTION OF CLASSIFIED NATIONAL SECURITY COUNCIL INFORMATION, of 4-19-85.
- i. DOE 5635.3, HAND-CARRYING CLASSIFIED MATTER ON AIR CARRIERS, of 1-29-88.

3. APPLICABILITY/EXCLUSIONS/DEVIATIONS.

- a. General. This Order applies to Departmental Elements responsible for protection and control of safeguards and security interests.
- b. Application to Contracts and Access Permittees. Except as excluded in paragraph 3c below, the provisions of this Order are to be applied to covered contractors and access permittees, and they will apply to the extent implemented under a contract or other agreement. A covered contractor is a seller of supplies or services involving access to and protection of classified matter, nuclear material, or other safeguards and security interests under

a procurement contract or subcontract. All paragraphs of this Order may be applied to covered contractors except paragraph 6.

c. Exclusions.

- (1) Department of Energy (DOE) facilities and activities regulated by the Nuclear Regulatory Commission are exempt from the requirements of this Order.
- (2) The provisions of this Order do not apply to DOE shipments mandated by the Nuclear Waste Policy Act (NWPA), as amended, and managed by the Office of Civilian Radioactive Waste Management.

d. Deviations. Deviations (i.e., variances, waivers, and exceptions) from the protection requirements prescribed by this Order and DOE M 5632.1C-1 shall be processed in accordance with DOE 5630.11A, SAFEGUARDS AND SECURITY PROGRAM.

4. REFERENCES AND DEFINITIONS. Definitions of commonly-used terms are provided in the "Safeguards and Security Definitions Guide," which is maintained and distributed by the Office of Safeguards and Security. See DOE M 5632.1C-1 for references.

5. POLICY.

- a. Safeguards and security interests shall be protected and controlled to preclude or minimize unauthorized access, unauthorized disclosure, loss, destruction, modifications, theft, compromise, or misuse.
- b. Protection and control shall be provided in a graded, cost-effective fashion, in accordance with the potential risks to the national security and/or the health and safety of DOE and contractor employees, the public, and the environment.
- c. Protection and control afforded safeguards and security interests shall be based upon Design Basis Threat Policy issued by the Director of Security Affairs, as well as local threats, and consideration of emergency situations, including disasters.
- d. The Department's shipments of unclassified irradiated reactor fuel shall be protected from unauthorized access, sabotage, and other hostile acts.
- e. Security badge systems employing a standard DOE format shall be used at DOE and DOE contractor facilities and operations involving access of 30 or more people to safeguards and security interests and/or Security Areas. Less than 30 person operations shall only be excepted from the security badge system requirement when the nature of activities and involvements permit adherence to a personal recognition system which provides similar high levels of assurance that unauthorized persons will not be allowed access to Security Areas, facilities, classified matter, or other security interests.
- f. Physical protection equipment shall not be used for the collection

of intelligence and shall not infringe on the rights of individuals.

- g. Physical protection requirements established in this Order and DOE M 5632.1C-1 shall take precedence over any conflicts or discrepancies that may arise with physical protection requirements set forth in DOE 6430.1A, GENERAL DESIGN CRITERIA.
- h. Safeguards and security credentials and shields, which confer various legal authorities to the bearer, shall be issued only to DOE and DOE contractor employees for whom such issuance is deemed essential in the performance of official duties.

6. RESPONSIBILITIES AND AUTHORITIES.

- a. Heads of Departmental Elements, as appropriate, shall ensure protection and control of safeguards and security interests.
  - (1) Provide protection and control in accordance with Departmental policies.
    - (a) Ensure that contractors and their subcontractors execute programs and policies that use appropriate safeguards and security program elements.
    - (b) Ensure that Departmental and contractor employees receive appropriate safeguards and security-related training and are made aware of and understand their responsibilities for protecting and controlling safeguards and security interests.
    - (c) Inspect, test, and evaluate the programs, projects, and facilities of subordinate activities to ensure effectiveness and compliance with protection and control requirements.
    - (d) Approve the release of SECRET and CONFIDENTIAL information within their programmatic area of responsibility, originated by DOE and contractors, to other Government agencies and their contractors, to foreign governments, and to international organizations, as deemed appropriate.
    - (e) Approve the distribution of classified scientific and technical reports within their programmatic area of responsibility.
    - (f) Ensure that physical security equipment is used only for the intended purposes.
    - (g) Ensure the protection of other Federal agency's classified matter with at least those precautions prescribed for DOE information of the same classification.
    - (h) Authorize, in writing, DOE and contractor employees and other persons under their administrative jurisdiction to carry classified matter outside facilities within the

United States.

- (i) Send classified information containing Restricted Data and/or Formerly Restricted Data that is to be provided to foreign entities to the Deputy Assistant Secretary for Military Application, who will channel the information to the Joint Atomic Information Exchange Group (JAIEG) for review prior to release.
  - (j) In coordination with field elements and the Director of Transportation Management, provide program guidance and support to responsible field elements on actions to be taken to assure shipments of irradiated reactor fuel under their programmatic jurisdiction are provided physical protection according to this Order.
  - (k) Recommend to the Director of Security Affairs, publication in the Federal Register, of property to be designated for "No Trespassing" posting under section 229 of the Atomic Energy Act of 1954, as amended, or section 662 of the Department of Energy Organization Act. Ensure that "No Trespassing" notices are posted.
  - (l) Ensure that upon completion of work under contract, subcontract, or other agreement a review of classified matter associated with that effort is accomplished to reduce the volume of classified matter insofar as practical and that proper authorizations, if applicable, are obtained for the elimination or retention of such matter.
- (2) Provide appropriate resources to support the protection and control program.
  - (3) Curtail or suspend operations, when continued operation would result in an immediate and unacceptable risk to national security and/or to the health and safety of DOE and contractor employees, the public, and the environment.
- b. Associate Deputy Secretary for Field Management shall:
- (1) Have responsibility for strategic planning for all field elements, and management coordination and oversight of the multi-purpose Operations Offices as they impact the protection and control program planning process.
  - (2) Ensure guidance and requirements for physical protection of facilities is incorporated into DOE 6430.1A.
- c. Director of Nonproliferation and National Security, in addition to responsibilities in paragraph 6a, shall direct development and coordination of Departmental policies, and procedures relating to protection and control of safeguards and security interests.
- (1) Ensure the implementation of Executive Order 12356 and its implementing directives.

- (2) Determine whether furnishing classified information to foreign governments will result in a net advantage to the national security of the United States.
- (3) Establish agreements for exchanging classified information with foreign governments.
- (4) Obtain security assurances for the proposed exchange of classified information with foreign governments.
- (5) Through the Director of Security Affairs shall:
  - (a) Establish policy for the protection and control of safeguards and security interests.
  - (b) Support Heads of Departmental Elements, as appropriate, to obtain resources to support protection and control programs.
  - (c) Approve Departmental property for "No Trespassing" posting, and authorize the publication of notices in the Federal Register describing the properties and facilities designated for "No Trespassing" posting.
  - (d) Through the Director of Safeguards and Security shall:
    - 1 Develop directives, guides, and/or handbooks for the protection and control of safeguards and security interests.
    - 2 Provide staff assistance to Departmental Elements, as requested, for the implementation of protection and control programs.
    - 3 Conduct research and development in physical protection technology and equipment, in concert with Heads of Departmental Elements to meet present and future safeguards and security requirements.
    - 4 Maintain national-level liaison with the Federal Bureau of Investigation and other Federal law enforcement and security agencies with respect to matters of physical protection policy, law enforcement, and response to safeguards and security incidents at Department of Energy facilities.
    - 5 Develop physical security policy and procedures for sensitive compartmented information facilities. Provide certifications, in conjunction with the Director of Energy Intelligence, that planned/installed physical security systems create an environment of acceptable risk for intelligence-related facilities.
    - 6 Ensure that the protection and control afforded safeguards and security interests is comparable to that required by other Federal agencies with similar

security interests.

- 7 Advise the Assistant Secretary for Defense Programs on the adequacy of security measures to physically protect security shipments outside the United States (i.e., shipments of special nuclear material subject to Departmental-administered Atomic Energy Act Mutual Defense Agreements and of Department of Energy classified matter).
- 8 Administer and oversee implementation of Executive Order 12356, "National Security Information," pertaining to special access programs, personnel, and physical security requirements for the control and protection of National Security Information.
  - a Authorize, in writing, DOE and contractor employees to hand-carry classified matter to and from foreign countries.
  - b Authorize the transmission of classified matter by other-than-prescribed means.
- 9 Designate a Classified Matter Protection and Control Program Manager, who is a DOE employee knowledgeable in the control of classified and sensitive information, including violations of laws, losses, and incidents of security concern, to manage the Department's Classified Matter Protection and Control Program.

(6) Through the Director of Energy Intelligence shall:

- (a) Certify that physical security systems serve to create an environment of acceptable risk for Sensitive Compartmented Information Facilities.
- (b) Process National Security Council matter containing Sensitive Compartmented Information received and dispatched from DOE.
- (c) Develop, in conjunction with the Director of Security Affairs, procedures and systems for protection of Foreign Intelligence Information and Sensitive Compartmented Information held within DOE and DOE contractor facilities.

(7) Through the Director of Emergency Management, shall coordinate the emergency preparedness program with the protection and control program for emergencies created by malevolent threats or acts and disasters.

d. Assistant Secretary for Defense Programs, in addition to the responsibilities outlined in paragraph 6a, through the Deputy Assistant Secretary for Military Application, shall:

(1) Ensure security shipments going outside the United States are

coordinated with the Director of Safeguards and Security (i.e., shipments of special nuclear material subject to Departmental-administered Atomic Energy Act Mutual Defense Agreements and of Department of Energy classified matter).

- (2) Review and coordinate, with the Director of Safeguards and Security, the development of physical protection technology for the transportation of special nuclear material, nuclear weapons, and nuclear weapons components.
  - (3) Develop requirements and procedures for controlling access to nuclear weapon data (see DOE 5610.2, CONTROL OF WEAPON DATA).
  - (4) Channel all matters containing Restricted Data or Formerly Restricted Data being sent to foreign entities to the Joint Atomic Information Exchange Group (JAIEG) for review prior to release.
- e. Assistant Secretary for Human Resources and Administration, in addition to the responsibilities outlined in paragraph 6a, through the Director of the Executive Secretariat shall process all:
- (1) National Security Council matter received and dispatched by DOE, with the exception of matter which contains Sensitive Compartmented Information, or matter submitted by the National Security Council or other Federal agencies to the Office of Declassification for classification review.
  - (2) Classified matter for the Secretary, Deputy Secretary, and Under Secretary.
- f. Assistant Secretary for Environment, Safety, and Health, in addition to the responsibilities outlined in paragraph 6a, shall:
- (1) Oversee compliance of transportation activities with the National Environmental Policy Act.
  - (2) Through the Assistant Secretary for Security Evaluations, provide independent inspection, and evaluation to assess the implementation of protection and control programs for activities and facilities under Departmental cognizance.
- g. Assistant Secretary for Environmental Management, in addition to the responsibilities outlined in paragraph 6a, shall serve as the primary point-of-contact with the transportation industry and with Federal, state, and local agencies in implementing the Department's transportation policies and standards for hazardous material other than nuclear explosives, special nuclear material, or other classified matter. Through the Deputy Assistant Secretary for Compliance and Program Coordination, the Director of Transportation, Emergency Management, and Analytical Services, shall:
- (1) Provide inspections and evaluations of irradiated reactor fuel shipping activities and inform the appropriate Operations Office Managers and Heads of Headquarters Elements of the results in a timely manner, and coordinate with appropriate

Departmental Elements to correct deficiencies including those which have a programmatic or budgetary impact, all in coordination with the Office of Security Evaluations. Evaluate the adequacy of physical protection measures for irradiated reactor fuel shipments outside the United States and advise the Director of Security Affairs of the results.

- (2) Coordinate with the Director of Emergency Management and provide staff assistance to Heads of Departmental Elements in the development of emergency plans and procedures prepared under DOE 5500.1B, EMERGENCY MANAGEMENT SYSTEM, to respond to accidents or malevolent threats or acts against irradiated reactor fuel in transit.
  - (3) Review and comment on field elements' physical protection plans for irradiated reactor fuel in transit.
- h. Director, Naval Nuclear Propulsion Program, in accordance with the responsibilities and authorities assigned by Executive Order 12344 [statutorily prescribed by Public Law 98-525 (42 U.S.C. 7158, note)] and to ensure consistency throughout the joint Navy/ Department of Energy organization of the Naval Nuclear Propulsion Program, shall implement and oversee all policy and practices pertaining to this Order for activities under the Director's cognizance.
- i. Heads of Field Elements, in addition to the responsibilities in paragraph 6a above, shall:
- (1) In conjunction with responsible Headquarters Elements, assure irradiated reactor fuel under their jurisdiction is provided the required physical protection while in transit.
    - (a) Coordinate shipments of irradiated reactor fuel with other Heads of Field Elements when shipments cross regional boundaries.
    - (b) Approve irradiated reactor fuel physical protection transportation plans and conduct surveys of the irradiated reactor fuel in transit.
    - (c) Assure emergency plans and implementing procedures for the physical protection of irradiated reactor fuel in transit are coordinated with the carriers, Office of Special Programs (Transportation Management Division), and the Office of Emergency Response and Preparedness for proper response to emergencies created by natural disasters, accidents, vandalism, or malevolent threats or acts.
    - (d) Notify States of pending shipments of unclassified irradiated reactor fuel, as appropriate.
  - (2) Managers, Operations Offices, Managers, Field Offices, and the Director, Headquarters Operations Division, shall:
    - (a) Ensure the designation and appointment of TOP SECRET

control officers and alternates as custodians and notify Headquarters, Office of Safeguards and Security, of the selection and position titles of the designees.

- (b) Request the approval of the Headquarters Office of Safeguards and Security for DOE and contractor employees on official Departmental business to hand-carry classified matter to and from foreign countries.
- (c) Designate a Classified Matter Protection and Control Operations Manager, who is a DOE employee knowledgeable in control of classified and sensitive information, including violations of laws, losses, and incidents of security concern, to manage the local Classified Matter Protection and Control Program.

## 7. REQUIREMENTS.

- a. General. The Department's diverse safeguards and security interests are to be protected from malevolent acts (e.g., sabotage) and from events such as disasters and civil disorders. Details of the protection and control requirements set forth in this Order are found in DOE M 5632.1C-1.
- b. Threat. The "Design Basis Threat Policy for the Department of Energy Programs and Facilities (U)" shall be used to identify and characterize the range of potential adversary threats to Departmental programs and facilities. Field Elements should review and develop, as appropriate, supplementary local threat policy to take into account site-specific and regional-specific threat considerations.
- c. Graded Protection. By graded approach, DOE intends that, in the development and implementation of protection and control programs, the level of effort and magnitude of resources expended for the protection of a particular security interest are commensurate with the security interest's importance or the impact of its loss, destruction, or misuse. Interests whose loss, theft, compromise, and/or unauthorized use will have serious impact on the national security, program continuity, and/or the health and safety of DOE and contractor employees, the public, the environment, or Department of Energy programs, shall be given the highest level of protection. For example, use of a weapon of mass destruction by a terrorist(s) could have consequences so grave as to demand the highest reasonably attainable standard of security. Protection of other interests shall be graded accordingly. Protection-related plans shall describe, justify, and document the graded protection provided the various interests. Asset valuation, threat analysis, and vulnerability assessments shall be considered, along with the acceptable level of risk and any uncertainties, to decide how great is the risk and what protection measures are to be applied. Heads of Departmental Elements shall provide a rational, cost-effective, and enduring protection framework using risk management as the underlying basis for making security-related decisions.
- d. Protection Planning. Protection planning is essential to all Departmental facilities and contractor facilities used for

Department of Energy work. Sites, as appropriate, shall develop a Site Safeguards and Security Plan as required by DOE 5630.14A, SAFEGUARDS AND SECURITY PROGRAM PLANNING. Sites and facilities not covered by DOE 5630.14A should use the Order as guidance when developing local security plans.

- (1) Protection Strategy. A protection strategy shall be developed and delineated by each DOE site and approved by the Head of the Field Element for all safeguards and security interests. The strategy used will be determined by the impact that a malevolent act would have on the national security, program continuity, the health and safety of DOE and contractor employees, the public, and/or the environment. (NOTE: Safeguards and security programs shall provide a high degree of assurance of the capability to deter, detect, assess, delay, prevent, and/or inhibit unauthorized access to nuclear weapons, nuclear test devices, or completed nuclear assemblies, Category II or greater quantities of special nuclear material, and Vital Equipment. The safeguards and security system shall be capable of responding, denying access, preventing removal, and/or recovering these Departmental assets from an adversary, while providing command and control to protective forces. Strategies for the protection and control of classified matter shall incorporate the applicable requirements established in DOE M 5632.1C-1.)
  - (2) Contingency/Emergency Planning. Plans that address protection measures shall be developed and in place for events such as a threat guidance event, natural disasters, civil emergencies, personnel shortfalls (e.g., work force shortfalls, work force disruptions, walkouts, disputes), call-out of off-duty employees, and other credible situations.
  - (3) Outside Agency Protection Support Planning. Plans shall document the support to be expected from outside agencies in response to security incidents. Required actions of outside agencies shall be determined and documented, as appropriate, in Memoranda of Understanding. Each Memorandum of Understanding shall be reviewed with the appropriate agency(ies) at least annually to ensure its validity.
- e. Protection Program Elements. Applications of protection system elements shall be tailored and integrated to provide the levels of protection appropriate for safeguards and security interests. Effective physical protection shall rely on the interaction between security systems, protective personnel, and administrative procedures. In addition, physical protection programs shall be integrated with other Safeguards and Security Program elements, such as Material Control and Accountability and Information Security, to achieve total system integration. See the DOE 5633 series of directives regarding Material Control and Accountability and DOE 5639 series for Information Security.
- (1) Security Areas and Restricted Access Areas.
    - (a) Security Areas, described more fully in DOE M 5632.1C-1, shall be established when the nature, size, revealing

characteristics, sensitivity, monetary value, or importance of safeguards and security interests is such that access to them cannot otherwise be effectively controlled. Limited Areas, Protected Areas, Exclusion Areas, Vital Areas, and Material Access Areas shall be defined by barriers and access to them shall be controlled. Property Protection Areas may be defined by barriers and access to them may be controlled.

(b) Restricted Access Areas, described in DOE M 5632.1C-1, may be established for the purpose of controlling access based on the appropriate access authorization and/or official duties. Examples include:

- 1 Sensitive Compartmented Information Facilities.
- 2 Central and Secondary Alarm Stations.
- 3 Secure Communications Areas.
- 4 Automated Information System Centers.

(2) Intrusion Detection System and Assessment Capability. Intrusion detection systems may be used to detect unauthorized entry and/or presence in Security Areas and Restricted Areas. Visual observations by protective personnel may be used in place of or to complement an intrusion detection system depending on the requirements for the area being protected. See DOE M 5632.1C-1, page IV-3, for their required use at Protected Areas, Vital Areas, Material Access Areas, and Exclusion Areas.

(3) Access Controls and Entry/Exit Inspections.

(a) Access to classified matter and special nuclear materials shall be limited to persons who possess an appropriate access authorization and who require such access in the performance of their official duties, on a need-to-know basis.

(b) A person without appropriate access authorization (security clearance), who is otherwise authorized to enter a Limited Area, Exclusion Area, or Protected Area (including Material Access Area or Vital Area within a Protected Area) shall be escorted at all times within the Security Area by an individual with the appropriate access authorization.

(c) Personnel, hand-carried items, vehicles, and vehicle contents shall be subject to inspections, as applicable, at Security Area entry control points to deter the introduction of prohibited articles. Personnel, hand-carried items, vehicles, and vehicle contents shall be subject to inspections, as applicable, at Security Area exit control points to deter the unauthorized removal of safeguards and security interests.

- (4) Barriers. Permanent physical barriers shall be installed to control, deny, impede, or delay unauthorized access into Limited Areas, Protected Areas, Exclusion Areas, Material Access Areas, and Vital Areas.
  - (5) Locks. Security locks shall be used to secure safeguards and security interests.
  - (6) Secure Storage. Secure storage for the interest under protection shall be provided in a graded manner.
  - (7) Protective Personnel/Protective Force. Protective personnel are an essential part of the physical protection program. Such personnel include the Protective Force as well as other persons having administrative or other protective duties. Protective force policy, responsibilities and requirements are stated in DOE 5632.7A, PROTECTIVE FORCES.
  - (8) Communications.
    - (a) Voice communications systems used for security purposes shall be reliable and provide intelligible voice communications for all applicable modes of operation.
    - (b) Security system data transmission lines shall be protected in a graded manner from substitution and tampering.
  - (9) Testing and Maintenance.
    - (a) Physical protection systems' effectiveness shall be determined through system acceptance and validation testing that is consistent with DOE 5630.16A, SAFEGUARDS AND SECURITY ACCEPTANCE AND VALIDATION TESTING PROGRAM.
    - (b) A program of scheduled testing and maintenance according to DOE 4330.4B, MAINTENANCE MANAGEMENT PROGRAM, shall be implemented to ensure an effective, operable security system. The program shall include identification of critical components and subsystems. The time interval between tests shall be determined on a graded basis according to the asset under protection and shall be documented.
  - (10) Posting. Signs reflecting information on the Atomic Weapons and Special Nuclear Rewards Act; prohibited articles; the inspection of vehicles, packages, or persons either entering or exiting; and trespassing, if applicable, shall be posted. Signs prohibiting trespassing shall be posted around the perimeter and at each entrance to a Security Area except when one Security Area is located within a larger posted Security Area. Also, notices shall be posted in each area where physical protection surveillance equipment is operational.
- f. Physical Protection Equipment Usage. Programs and procedures shall be developed to deter and/or detect misuse of physical protection equipment (e.g., video assessment equipment). Violations shall be

reported to the local cognizant authority for safeguards and security. Physical protection equipment, when used in accordance with this policy, is not considered technical surveillance equipment and, therefore, is not subject to the policy requirements for technical surveillance equipment.

- g. Security Badges. Security badge systems shall indicate individuals access limitations and/or approvals for the purpose of controlling entrance and exit to Security Areas and facilities and for Safeguards and Security-related identification purposes. Access limitations indicated by badges shall not be used alone for the release of classified and/or sensitive matter. Need-to-know determinations shall be made before granting individuals access to classified matter.
  - h. Credentials and Shields. The design of safeguards and security credentials and shields will be approved on a case-by-case basis by the office of primary responsibility. DOE and DOE contractor employees shall provide support and assistance to DOE-credentialed personnel in the performance of their official duties.
8. ASSISTANCE. Questions concerning this Order should be directed to the Chief, Physical Security Branch, at 301-903-4244, or to the Classified Matter Protection and Control Program Manager, at 301-903-4805.
9. IMPLEMENTATION. The majority of requirements in this directive is the same as those contained in the superseded directives. Implementation Plans for any requirements that cannot be implemented within 6 months of the effective date of this Order or within existing resources shall be developed by Heads of Field Elements and submitted to the Office of Safeguards and Security.

BY ORDER OF THE SECRETARY OF ENERGY:  
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Assistant Secretary for  
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